App. F. IX-4

1926-7

(Med 7)

File No. 136-26

Previous References

Med 80-15 (9)

Serial Nos. 1-4

Later References

Med 136-26 (5-9)

Med dep no 319 of 27-28

General and Revenue Secretariat.

Serial Four

Part B for March 27

SUBJECT

Unauthorised levy of fees by the First Surgeon Chemical Examiner.

Do do S. S

No. G 1042 dt 22/3/27

Issue of certain instructions

M. Louis Esq Res

13/3/27

WD 01229—GPB—37,500—1-y-..
App. F. III—2]

General and Revenue Secretariat

2nd File No. 136 of 1926.

(1)

Serial No.

Letter No C 1821-7 dated the 5th Feby 1927 from the Senior Surgeon in reply bringing to notice the unauthorised levy of fees by the Asst Surgeon, L.J. Dispensary, Chemmahal for granting Vaccination certificates to School Children and stating that his conduct is reprehensible and deserves suitable notice. Submitted for orders.

C.S. M.K.R.

12/1/27

2 Are not copies of circulars etc. about the levy of fees available here? If not please, please call for them.

M.S.
10/2

3 Put up Submitted for orders.

C.S. 16/2

4 The circulars about the grant of certificates by medical men are not available here. They will be called for for reference

5 Besides the Asst. Surgeon in his explanation has said that the levying a fee for vaccination

NOTE.—Contn Sheet

Serial No.	
	certificate, he was following the usual practice. The SS report is silent on this point. The SS will be asked on this point also if approved Secy 17/2
	Gen. Secy) 6) Issue d.o. letter as noted & submit to P.U.D. & the Finl. member for perusal RR 20/2
	7 Issue accordingly Secy 21/2
2	D.O. letter No. 5073-D/22nd July 1927 to the Senior Surgeon Bombay requesting him to forward for reference Copies of circulars orders issued from time to time about the levy of fees for the grant of certificates by medical men
	8) Issued & resubmit as desired C. & M.S.A. 22/2/27
8893 24.2.	9) For perusal Secy 23/2
Cpy to C & M.S.A. 25/2/27	1 Member Secy 25/2

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26

Serial No.	
3	D.O. letter No C1821-10 dated the 25/26th July 192 from the Senior Surgeon in reply enclosing copies of three circulars issued from his office on the subject of grant of certificates by medical officers to Sub-Assts for caders. Refce:- orders at para 5 supra C.G.M&K
1/3/27	12 The charge against the Asst. Surgeon in charge of the L.T dispensary at Channa patna, is that he collected a fee of one rupee each from some of the Candidates for the Lower Secondary examination, who went to him for a Vaccination Certificate on the last occasion.
	13 The Ag. has forwarded copies of the circulars issued from time to time on this point. These circulars lay down that no such fee should be collected
	14 The Asst. Surgeon, in his explanation says that he issued 66 certificates, but collected the fee from only 32 boys, and that he

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | 2nd File No. 136 of 1926

Serial No.

did not take the fee from poor boys and boys of backward classes
In support of his action, he quotes says that he followed the practice of his predecessors. He quotes two Gos of 1908 and 1916, flags Q. and R
The first is not relevant, as clause
Flag Q 3 of para 2. of the G.O. apparently refers to the grant of vaccination Certificates to candidates for employment in the Superior Service of Govt.

15 Rule 31. of the rules issued
Flag R with G.O. dated 18th July 1916. (Flag R.) Says that a fee may be legitimately be charged for a Certificate or opinion given by a medical officer in the Govt, Municipal or local fund Service of the State at the instance of a private person for any purpose whether it be in connection with a civil or Criminal proceeding or not etc".
The L.S. Says that this rule cannot be interpreted as applying to the case of L. S. exam. Candidates who come up for vaccination Certificates.

16 It is however doubtful if a medical officer is bound to give

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat

File No. 136 of 1926

Serial No.

Vaccination certificates free to such boys. The practice of taking a fee of one rupee for such certificates appears to exist.

The Asst Surgeon may perhaps be asked to refund the fees collected and his attn is asked to issue instructions that such a fee should not be collected.

Gen. Secy 4/3

It seems to me that the Senior Surgeon's circ. no. 409 dated 2.11.1889 has never been revoked and is therefore still in force. The Asst Surgn has therefore no business to levy it

But unauthorised though the levy is, I am afraid it has become quite a matter with most Medl. officers to levy it. A general order may therefore be issued prohibiting the levy of fees from students in public Schools seeking for a Vacn certificate required in connection with a public examination.

~~In this connection~~

~~the attn of the Asst Surgeon may be invited to the~~

~~Section of this~~

First Member. 8/3

A General Circular may be issued & the Asst Surgeon called on to refund the amount

9208 8/2

In the present case, Warning may be administered to the Asst Surgeon concerned. 8/3.

NOTE—Contn. Sheet

Serial No.	
	1st Dec to ~~make~~ provide repaid to the children or their parents this The D.G.E. 16.E to ~~see~~ to have the amounts refunded. This plus warrant will ~~sure~~ the case better Dec 10/3 Please issue as accompanied RR W.S. 10/3
	~~to~~ Asst Surgeon Prabhu Q.B. ~~mark~~ 14/3/27 Issue Dec 10/3
4	to the Senior Surgeon no 10425 22nd March 27. Directly that the collection of the Asst Surgeon be drawn to the circular letter ~~re~~ prohibiting the levy of fees from students for grant of vaccination to arrange certificates and ~~to~~ for the fees collected by to be the Asst Surgeon returned to the children the Un D.G. M.E.S.
	Q.B. mark 28/3/27

NOTE—Contn. Sheet

No. C. 1821-7

Enc. 2.

Office of the Senior Surgeon and
Sanitary Commissioner in Mysore,

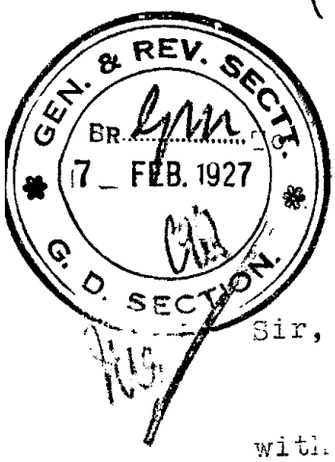
Bangalore, dated 5th February 1927.

44758

Fin 63 Re

Med 136-26-1

B. Mahomed Usmon, Esq., L.M. & S.,
Senior Surgeon & Sanitary Commissioner
with the Government of Mysore, Bangalore.



R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to the Government
of Mysore, Bangalore.

Sir,

In forwarding herewith copies of correspondence ending with letter No. 127 dated the 9th January 1927 from the Assistant Surgeon in charge of the Local Fund Dispensary, Chennapatna, I have the honor to state that it has been brought to my notice that on the last occasion of sending up candidates for the Lower Secondary Examination, the Assistant Surgeon charged a fee of one rupee for each of the vaccination certificates granted by him. It will be kindly observed that he granted in all 66 certificates and collected the fee in 32 cases. It appears too that this is not the first time he has acted in this manner. He explains that he took it that the levy of the fee was authorised in Government Orders Nos. 11733-328/San. 214-07-2 and 571-621/Med: 83-15-9 dated the 15th May 1908 and 18th July 1916 respectively. The former relates to certificates of vaccination granted to candidates for employment in Government service while the latter (please vide rule 31) permits the acceptance of fees for certificates granted at the instance of a private person. By no stretch of imagination can the case of school children be brought under either of these rules. An officer of the status of an Assistant Surgeon - ought to have acted better than collect fees unauthorisedly from young students. His conduct is reprehensible and deserves suitable notice.

Copy of letter enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

Senior Surgeon & Sany: Comr.

a.r.s.

8

Letter dated 16th December 1926 from Mr. G. Paramasiviah Advocate, Aralepet Chowk, Bangalore City, to the Senior Surgeon in Mysore, Bangalore.

When I had been to Channapatna on Saturday last, I was reliably informed that the Assisant Surgeon in charge of the Local Fund Dispensary there, has collected fees at the rate of Re.1/- per student for granting vaccination certificate to students who had to appear for the Mysore Lower Secondary Examination this year. May I know whether he has been authorised to do so. If so, I feel much obliged if you can kindly furnish me a copy of the order either Government or departmental. If it is an authorised collection, I request you to kindly enquire in the matter and let me know the result thereof.

"Copy."

S. Shiva Rao
For Senior Surgeon.

Letter No. C.1821-1 dated the 21st December 1926 from the Senior Surgeon in Mysore, to the Assistant Surgeon, Chennapatna.

Has the honor to request him to report whether he has collected any fees from students appearing for the Lower Secondary Examination, for the grant of vaccination certificate. If so, how many certificates were issued and what was the amount collected should be reported.

Letter No. 118 dated the 22nd December 1926 from the Assistant Surgeon, Chennapatna, to the Senior Surgeon in Mysore.

In obedience to your office No. C.1821-1 dated 21st Dec. 1926 asking me to report the number of vaccination certificates issued and the amount collected, I have the honor to submit that I issued 66 certificates and collected Rs 32/-. Backward class and poor students were given free.

Letter No. C.1821-3 dated the 23rd December 1926 from the Senior Surgeon in Mysore, to the Assistant Surgeon, Chennapatna.

His letter No. 118 dated the 22nd December 1926.

Referring to the above, has the honor to request him to cite the authority under which he reported to the procedure of collecting fees for vaccination certificates granted to school children.

Letter No. 120 dated the 24th December 1926 from the Assistant Surgeon, Chennapatna, to the Senior Surgeon in Mysore.

In obedience to your office No. C.1821-3 dated 23rd Dec: 1926, asking me to cite the authority under which I collected fees for vaccination certificates, I have the honor to submit that I did not do so on my own initiative, but simply followed the procedure said to have been adopted by my predecessors in office here and at other places that I have served and their authority for doing so seems to be G.O. No. 571-621/Medl. 83-15-9 dated 13th July 1916 which says " a fee may legitimately be charged for a certificate or opinion by a Medical Officer in the

Government, Municipal or L.F. service, at the instance of a private person for any purpose &c.,&c., and para 3 of G.O. No 11788-828/San. 214-07--2 dated Bangalore 13th May 1908 which say "Government authorise the levy of a fee of one rupee for each vaccination certificate.

Letter No. C. 1821-5 dated the 8th January 1927 from the Senior Surgeon in Mysore, to the Assistant Surgeon, Chennapatna.

His letter No. 120 dated the 24th December 1926, stating that he simply followed the procedure said to have been adopted by his predecessors in office in regard to the levy of a fee for vaccination certificates granted to school children.

Referring to the above, has the honor to enquire whether he has not on any previous occasion granted such certificates himself and whether fees were levied then also. If so, the number of certificates given and the total amount of fees realised may be approximately stated.

2. It is observed that he has been stationed at one taluk head quarters or other continuously for some years.

Letter No. 127 dated the 9th January 1927 from the Assistant Surgeon, Chennapatna, to the Senior Surgeon in Mysore, Bangalore.

In obedience to your office No. C.1821-5 dated 8th January 1927, I have the honor to submit as I have already submitted in my letter No. 120 dated 24th December 1926, that I followed the procedure adopted by my predecessors in office not only here but at other places that I have served. It was at Tarikere in 1921 or so that some boys came with a rupee in their hands and asked for vaccination certificates. I asked the compounder at the time, who told me that my predecessors were charging a ruppe for a certificate and hence the boys come with the fee. I received it then from those who paid and gave others free. I did not know the rules then. Subsequently I saw G.O. No. 571-621/Med. 85-15 dated 18th July 1916 authorising levy of a fee on all certificates except at the instance of the police.

(11)

I beg to submit that it is impossible for me to give even an approximate number of certificates issued and fees collected at this distant date.

--

"C A I R S"

Senior Surgeon & Sanry: Commr.

12

PP. F. VI. Gl.]

SUBJECT.....

.....

.....

Immediate & Confidential

Section Audit

File No. 136-26

Serial No. 2

No. 9073

Diary No. of letter replied to....6320

To

The Senior Surg
in charge, Rajahmundry

General and Revenue Secretariat
(Genl)
the 192

Sir,

Date of issue 22.2.27

With reference
to your letter No
C 1821-7 dated
5th July 1927 from
the Assistant Surgeon
in charge bringing
to notice the un-
authorised levy of
fees by the Assistant Surgeon,
Chintamanipatna,
for
issuing Vaccination
Certificates, Inam

Signed by Mr. H.S R. Rao

List of enclosures.....

Copied by PKN

Examined by 22/2

over

~~wanted~~ to request
you to be so good as
to forward for information
copies of circular
orders ~~&c~~ issued from time to time
regarding the levy of
fees for the grant of certificates
&c &c &c &c &c
&c &c &c &c &c
&c &c &c &c &c

IMMEDIATE AND CONFIDENTIAL. 14

Office of the Senior Surgeon, I.G.
Dated, 25th February 27
26th

D.O.NO. ~~C.2294~~ C.1821-10
ENC. One.

Med 136-26-3 Gen 6974

Dear Sir,

In reply to your letter (D.O.) No.G.9073-Med. 136-26-2, dated 22nd February 1927, I enclose copies of the undermentioned*circulars issued from this office on the subject of grant of certificates (including vaccination certificates) by Medical Officers.

* 1. No.409, dated 2nd November 1889.
2. No.941-59, dated 14th August 1904.
3. No.2892-914, dated 7th December 1914.

Yours sincerely,

Senior Surgeon.

R. Ranga Rao Esq., B A., B.L.,
General Secretary to Government,
G. R. S., Bangalore.

Circular No.409, dated 2nd November 1889 issued from the Office of the Senior Surgeon in Mysore.

In continuation of this office Circular No.382 of the 15th November 1887, it is notified that vaccination certificates are to be granted to candidates for the public examinations free of charge.

sd. T.J.McGann,
Senior Surgeon & Sany.Comr.

****

II.

Circular No. 941-59, dated 12th August 1904 issued from the Office of the Senior Surgeon in Mysor

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A reference having been made by a Medical Subordinate anent the free grant of Vaccination Certificates to Candidates appearing for Public Examinations, has the honour to forward for information and circulation copy of this office Circular No.409, dated 2nd November 1889, and to state that no fee of course can be charged.

sd. J. Smyth, M.D.,
Lt.Col. I.M.S.,
Offg. Senior Surgeon & Sany. Commr.

****

III.

Office Memorandum No. 2892-914, dated 7th December 1914 issued from the office of the Senior Surgeon in Mysore to the District Medical and Sanitary Officers and Medical Officers in charge of institutions.

"No. 2891/7-12-1914.

Reference:- His No. 183 dated 30th November 1914, re. the fee demanded by Sub Assistant Surgeon, Devanhalli for granting a Vaccination Certificate to a private student.

The District Medical and Sanitary Officer, Bangalore District, is informed that para 31* of Government Order No. 7332-72/Med. 89-06-57, (dated 24th Feb. 1910) referred to in the above has no bearing on the case in point.

In view of the fact that Government have fixed a fee of one rupee for granting vaccination certificates to candidates for employment in superior service, the Sub Assistant Surgeon should not have demanded more than one rupee in the case of the private candidate who had applied only for a vaccination certificate.

The same may be communicated to other subordinates in his District.

sd. S.V.Ramaswamy Iyengar,
for Senior Surgeon , M. G. "

* Para 31 of G.O.No. 7332-72/Med. 89-06-57, dated 24th February 1910.

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* * * * * * * *

FEES FOR THE GRANT OF CERTIFICATES BY MEDICAL OFFICERS.

"A fee may legitimately be charged for a certificate or opinion given by a Medical Officer in the Government, Municipal or Local Fund Service of the State at the instance of a private person for any purpose, whether it be in connection with a Civil or Criminal proceeding or not, and the fact that such person was treated in the State, Municipal or Local Fund hospital should not exempt him from the payment of such fee. A fee not exceeding two days' pay of the Medical Officer (without including allowances) and subject to a maximum of Rs.5/- may be charged in each case."

* * * * * * * *

"Copies.'

for Senior Surgeon.

APP. F. VI. Gl.]

SUBJECT.....

Section Medl

File No. 136-26

Serial No. 4

Diary No. of letter replied to..... 6974

No. G 10421.

General and Revenue Secretariat

(G 2m)

the *192*

To The Senior Surgeon

Bangalore

Date of issue..22/3/27

Sir

With reference

the correspondence

ending with your

letter No G 1821-1

dated the 25th/26

July 1927 about

the ~~long~~ correct

of fees by the A

Surgeon of Coleo

Lecture from

Candidates for Diploma

Secondary Class

Lower Secondary exam

over

List of enclosures.....

Copied by.....

Examined by.....

for [illegible]
Vaccination certi-
cates I am directed
to request you to
lie so forward to
~~transmit the~~
direct the attention
of the Asst Surgeon
~~to the Secretary Surgeon~~ your let-
ter dated the 2nd Nov
889 on the subject
and to make enquiry
to ascertain the amount
collected by him at
vaccinations on the last
occasion, to be forwarded by you (Member Odes
Remittance
to the Secretary of Education & A. Office
for which returns to the
Children or their Parents
through the D.C. E. who should be
and to be remitted
to the Secretary of Education
fees for such vaccinations
Such certificates should be
transmitted to this office
as soon hereafter

(2)

G.R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

(2) A circular may also be issued on the above subject ~~order~~ prohibiting the levy of fees from School children for the ~~grant of~~ Vaccination Certificates, may be issued ~~to~~ and ~~circulated~~ to all Medical officers in the State.

I have &c.

Secretary to Govt.

Memo No. 10422

A copy of the above is forwarded with compliments to the D. G. of E.S. to enquire for information, with the request that the fees collected by the Asst Surgeon whose name is

which ~~was~~ may be sent to him

Asst

20

he ecused to be
returned to the
children or their
parents, except
I have no

Yes

Yes/No Secy to Govt

C.S.O.
14/3/27

GPB—20,000—16-2-14

21

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. G/0421 Fcd 136-26-4

Dated, Bangalore, 22-3 1927

From

R. RANGA RAO, ESQ., B.A., B.L.,
General Secretary to the Government of His Highness the Maharaja of Mysore.

To

B. MAHOMED USMON, ESQ., L. M & S.,
Senior Surgeon in Mysore,
BANGALORE.

Sir,

With reference to the correspondence ending with your D.O. letter No. C.1821-10, dated the 25th/26th February 1927 about the collection of fees by the Assistant Surgeon of Chennapatna from candidates for the Mysore Lower Secondary Examination for granting Vaccination Certificates, I am directed to request you to be so good as to draw the attention of the Assistant Surgeon to your office circular letter No. 409, dated the 2nd November 1889 on the subject, and to direct him to remit the amount collected by him at Chennapatna on the last occasion to you for being returned to the children or their parents through the Inspector-General of Education. The officer may be warned that fees for such vaccination certificates should not be collected hereafter.

2. A circular may also be issued once again prohibiting the levy of fees from school children for vaccination certificates.

I have the honor to be,
S i r,
Your most obedient servant,

(Sd) R. Ranga Rao,
GENERAL SECRETARY TO GOVERNMENT.

E.W.M/S.

P.T.O.

Memo No. 4/10422-2 Bangalore. 22nd March 1927.

Copy of the foregoing is forwarded, with compliments, to the Inspector-General of Education in Mysore, for information, with the request that the fees collected by the Assistant Surgeon, Chennapatna, which will be sent to him by the Senior Surgeon, may be caused to be returned to the children or their parents, early.

" BY ORDER "

FOR GENERAL SECRETARY TO GOVERNMENT.

E.W.M.